



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Michael P. Wallace, et al

Serial No.: 10/799,270

Filed: March 12, 2004

**For: COLLAPSIBLE/EXPANDABLE
ELECTRODE LEADS**

Confirmation No.: 7229

Group Art Unit: 3762

Examiner: Patel, Joy

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement (“IDS”) are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003.

The items identified in this IDS may or may not be “material” pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as “prior art” under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

12/13/2005 HGUTEMA1 00000031 502518 10799270
01 FC:1806 180.00 DA

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "First Class Mail" in an envelope addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit
OC/214531.1

Jocelyn L. Lee

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☒ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fee(s).
- ☒ Please charge \$180.00 to Deposit Account No. **50-2518** for the above fee(s).
- ☐ Although applicant believes no fee is required, the Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Bingham McCutchen's Deposit Account No. **50-2518**.

Respectfully submitted,
BINGHAM McCUTCHEN LLP

Dated: December 9, 2005

By: _____



Michael J. Bolan
Reg. No. 42,339

BINGHAM McCUTCHEN LLP
Three Embarcadero, Suite 1800
San Francisco, CA 94111-4067
(650) 849-4400

23639

PATENT TRADEMARK OFFICE

Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/799,270
Filing Date	March 12, 2004
First Named Inventor	Michael P. Wallace
Group Art Unit	3762
Examiner Name	Patel, Joy
Attorney Docket Number	30-7038142001 (04-049)

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1.	US-4,141,365		Fischell et al.	02-27-1979	
	2.	US-5,417,719		Hull et al.	05-23-1995	
	3.	US-5,543,864		Hirschman et al.	08-06-1996	
	4.	US-5,902,236		Iversen	05-11-1999	
	5.	US-6,249,707		Kohnen et al.	06-19-2001	
	6.	US-2001/0053885		Gielen et al.	12-20-2001	
	7.	US-6,370,427		Alt et al.	04-09-2002	
	8.	US-6,697,676		Dahl et al.	02-24-2004	
	9.	US-6,895,283		Erickson et al.	05-17-2005	
	10.	US-2002/0151948		King et al.	10-17-2002	
	11.	US-2003/0040785		Maschino et al.	02-27-2003	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	1	EP	0 865 800 A2		Medtronic, Inc.	09-23-1998		
	2	EP	0 865 800 A3		Medtronic, Inc.	12-08-1999		
	3.	EP	0 865 800 B1		Medtronic, Inc.	09-29-2004		

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.

OC/214533.1